

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)
49860

In re Application of
Berndt et al.

Application Number
09/937,313

Filed
09/24/2001

For Solubilizing aids in powder form for solid pharmaceutical
presentation forms

Art Unit
1618

Examiner
Young

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ **540.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown
above is reduced by half, and the resulting fee is:

\$ _____

☐ A check in the amount of the fee is enclosed.

☒ Payment by credit card.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any deficiency, or credit any overpayment to
Deposit Account No. 14-1437.

☒ Applicants hereby petition for a 3 month extension of time under 37 C.F.R. §1.136.

The requisite fee of \$ **620.00** is paid by credit card. The fee for a 2 month extension of time in the amount of
\$490.00 has been submitted on October 28, 2008.

I am the

☐ applicant /inventor.

/Michael P. Byrne/
Signature

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)
is enclosed. (Form PTO/SB/96)

Michael P. Byrne
Typed or printed name

☒ attorney or agent of record.

Registration number 54,015

202-659-0100

☐ attorney or agent acting under 37 CFR 1.34.

Telephone number

Registration number if acting under 37 CFR 1.34. _____

November 26, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.